

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rikke STAVNSBJERG *et al.*
Title: ***FROZEN LACTIC ACID BACTERIA
CULTURE OF INDIVIDUAL PELLETS***
Appl. No.: 10/590,153
Examiner: Sheridan R. Macauley
Art Unit: 1651
Confirmation
Number: 2481

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed October 5, 2009, applicant elects claims 14-18 and 25 (Group I), “drawn to a lactic acid bacterial culture” (Office Action at ¶ 2). This election is made without traverse.

The Office Action, on page 3, also requires a species election. In response, applicant elects the species associated with trehalose and *Lactobacillus* spp., respectively. Each of the elected claims reads on the elected species. Applicant understands that the full scope of the claims will be examined, once the patentability of the elected species is established.

The Commissioner is authorized to charge any additional fees, which may be required under 37 CFR §§ 1.16-1.17, and to credit any overpayment to Deposit Account No. 19-0741.

Should no proper payment accompany this response, then the Commissioner is authorized to charge the unpaid amount to the same deposit account. If any extensions is needed for timely acceptance of submitted papers, Applicant hereby petitions for such extension under 37 CFR § 1.136 and authorizes payment of the relevant fee(s) from the deposit account.

Respectfully submitted,

Date 2 November 2009

By Stephen A. Bent

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